



House of Representatives

General Assembly

File No. 226

February Session, 2008

House Bill No. 5107

House of Representatives, March 27, 2008

The Committee on Labor and Public Employees reported through REP. RYAN, K. of the 139th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT EXTENDING HAZARDOUS DUTY RETIREMENT BENEFITS FOR CLERICAL WORKERS AT CORRECTIONAL INSTITUTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 5-173 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2008*):

4 (a) A state policeman in the active service of the Division of State
5 Police within the Department of Public Safety, or any person who is
6 engaged in guard or instructional duties at the Connecticut
7 Correctional Institution, Somers, the Connecticut Correctional
8 Institution, Enfield-Medium, the Carl Robinson Correctional
9 Institution, Enfield, the John R. Manson Youth Institution, Cheshire,
10 the Connecticut Correctional Institution, Niantic, the Connecticut
11 Correctional Center, Cheshire and the community correctional centers,
12 or any person exempt from collective bargaining who is engaged in
13 custodial or instructional duties within the Department of Correction,
14 or any employee of any correctional institution receiving unpleasant

15 duty pay, or any person who is an employee of the Whiting Forensic
16 Division with direct and substantial patient contact, or any person who
17 is employed as a correctional counselor, correctional counselor
18 supervisor, parole officer or parole supervisor or in a comparable job
19 classification by the Board of Pardons and Paroles, or any member of
20 tier I who has been designated as a hazardous duty member pursuant
21 to an applicable collective bargaining agreement, who has reached his
22 forty-seventh birthday and completed at least twenty years of
23 hazardous duty service for the state or service as a state policeman or
24 as guard or instructor at said correctional institutions or correctional
25 centers, or service in a custodial or instructional position within the
26 Department of Correction which is exempt from collective bargaining,
27 or as an employee of any correctional institution receiving unpleasant
28 duty pay, or as an employee of the Whiting Forensic Division or its
29 predecessor institutions, or as a correctional counselor, correctional
30 counselor supervisor, parole officer or parole supervisor or in a
31 comparable job classification as an employee of the Board of Pardons
32 and Paroles, shall be retired on his own application or on the
33 application of the Commissioner of Public Safety or the Commissioner
34 of Correction, as the case may be.

35 Sec. 2. Subsection (d) of section 5-192f of the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective*
37 *October 1, 2008*):

38 (d) "Hazardous duty member" means a member who is a state
39 policeman in the active service of the Division of State Police within
40 the Department of Public Safety, who is engaged in guard or
41 instructional duties at the Connecticut Correctional Institution,
42 Somers, the Connecticut Correctional Institution, Enfield-Medium, the
43 Carl Robinson Correctional Institution, Enfield, the John R. Manson
44 Youth Institution, Cheshire, the Connecticut Correctional Institution,
45 Niantic, the Connecticut Correctional Center, Cheshire or the
46 community correctional centers, who is an employee of any
47 correctional institution receiving unpleasant duty pay, who is an
48 employee of the Whiting Forensic Division or its predecessor

49 institutions with direct and substantial patient contact, who is a
50 detective, chief inspector or inspector in the Division of Criminal
51 Justice or chief detective, who is employed as a correctional counselor,
52 correctional counselor supervisor, parole officer or parole supervisor
53 or in a comparable job classification by the Board of Pardons and
54 Paroles, or who has been designated as a hazardous duty member
55 pursuant to the terms of a collective bargaining agreement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	5-173(a)
Sec. 2	<i>October 1, 2008</i>	5-192f(d)

Section 1	<i>October 1, 2008</i>	5-173(a)
Sec. 2	<i>October 1, 2008</i>	5-192f(d)

LAB *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
State Comptroller – state employees retirement system	GF - Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill gives hazardous duty status to any employee receiving unpleasant duty pay in the Department of Corrections (DOC). There are currently 213 such positions at DOC. Under the state employees retirement system (SERS) hazardous duty benefits are more liberal and therefore more costly than normal retirement benefits.

According to the most recent valuation, the SERS normal cost as percent of payroll is 9.46% for Tier II regular employees and 18.03% for Tier II hazardous duty. There are currently 213 “unpleasant duty pay” DOC positions with a total annual compensation of \$10.1 million. The normal cost for these positions under regular retirement is currently \$960,000 per year and would be \$1,800,000 per year under hazardous duty. The expansion of hazardous duty in the bill results in an increased cost of approximately \$840,000 annually to the state’s pension cost. The exact cost to SERS and the states’ contribution to SERS must be calculated by the system’s actuary.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 5107*****AN ACT EXTENDING HAZARDOUS DUTY RETIREMENT BENEFITS FOR CLERICAL WORKERS AT CORRECTIONAL INSTITUTIONS.*****SUMMARY:**

This bill gives hazardous duty status for retirement purposes to any Tier I or Tier II employee of a correctional institution who is receiving "unpleasant duty" pay. Currently, Department of Corrections clerks receive unpleasant duty pay, which is an additional percentage of their hourly pay, instead of hazardous duty retirement.

Under hazardous duty retirement, (1) a Tier I employee can retire at age 47 with full benefits after 20 years of service, and (2) a Tier II employee can retire after 25 years regardless of age. Normal state employee retirement does not allow an employee to collect full benefits until he or she reaches age 60 with 25 years of vesting service.

Tier IIA employees are not included in statute, but under a collective bargaining agreement, they receive the same benefits as Tier II employees except they have to make a greater employee contribution.

EFFECTIVE DATE: October 1, 2008

BACKGROUND***State Retirement Tiers***

The state has different tiers for its three primary retirement plans:

1. Tier I, employees hired before July 1, 1984;
2. Tier II, employees hired on or after July 1, 1984 and before July 1,

1997; and

3. Tier IIA, employees hired on or after July 1, 1997.

Related Bill

HB 5117 gives hazardous duty status for retirement purposes to certain employees in the Department of Environmental Protection's Emergency Responses Spill Division. It was reported out to the floor on March 11.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 9 Nay 0 (03/11/2008)